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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Jason Crews,

10 Plaintiff,

11 v.

12 Tanpri Media & Arts Incorporated, *et al.*,

13 Defendants.
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No. CV-23-01236-PHX-JJT

ORDER

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16 At issue is *pro se* Plaintiff Jason Crews's renewed *Ex Parte* Application for
17 Subpoenas *Duces Tecum* for Post Judgment Discovery, in which Plaintiff asks the Court
18 to issue subpoenas *duces tecum* so that he can "obtain evidence which he believes to be in
19 the possession of third parties for the purposes of judgment enforcement against Judgment
20 Debtors." (Doc. 35.)

21 The Court entered an Order (Doc. 33) rejecting Plaintiff's prior Application (Doc.
22 32) because it improperly listed the place of compliance of the subpoenas as Plaintiff's e-
23 mail address and did not list the addresses of the parties subject to the subpoenas or the
24 custodians of the documents requested, as the Court's General Order 18-19 requires. In the
25 present version of the subpoenas, Plaintiff lists his own address in Gilbert, Arizona, as the
26 place of compliance and still fails to list the addresses of the parties subject to the subpoenas
27 or their custodians.

28 As the Court stated in its prior Order (Doc. 33), Federal Rule of Civil Procedure

1 45(c)(2)(A) provides that a party may seek “production of documents, electronically stored
2 information, or tangible things at a place within 100 miles of where the person [from whom
3 production is sought] resides, is employed, or regularly transacts business in person,” and
4 the Court’s General Order 18-19 provides the method by which a self-represented party,
5 such as Plaintiff here, requests issuance of a subpoena from the Court.

6 The form of the subpoenas *duces tecum* provided by Plaintiff is again insufficient.
7 The person from whom production is sought in each of Plaintiff’s subpoenas is an entity—
8 such as PayPal, Inc.—and, under Rule 45(c)(2)(A), the place of an entity’s compliance
9 with the subpoenas must be within 100 miles of where (1) each entity is headquartered, or
10 (2) its custodian of record resides, is employed, or regularly transacts business in person.
11 *See Europlay Cap. Advisors, LLC v. Does*, 323 F.R.D. 628, 629 (C.D. Cal. 2018). For
12 example, in the case of PayPal—an entity headquartered in San Jose, California—the place
13 of compliance with Plaintiff’s subpoena must be within 100 miles of San Jose—which
14 Plaintiff’s address in Gilbert, Arizona is clearly not—or within 100 miles of the location
15 where PayPal’s custodian of record is located (if not San Jose).

16 For this reason, the Court’s General Order 18-19 requires a self-represented party
17 such as Plaintiff to list in the Application for Subpoenas *Duces Tecum* the physical
18 addresses of the parties subject to the subpoenas or the custodians of the documents
19 requested. Without those addresses, no court can determine whether the subpoenas comply
20 with the 100-mile provision of Rule 45(c)(2)(A).

21 Because Plaintiff’s subpoenas are missing the physical addresses required under
22 General Order 18-19, the Court must again deny Plaintiff’s Application. The Court also
23 cautions Plaintiff that, once he identifies the proper addresses, the place of compliance with
24 the subpoenas must be within 100 miles of those addresses under Rule 45(c)(2)(A).


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Dated this 1st day of May, 2024.

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Honorable John J. Tuchi
United States District Judge